

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in view of the following discussion is respectfully requested.

Claims 14-21 are pending.

The outstanding office action indicates that applicant failed to make a specific reference to the prior applications to which this application claims the benefit of priority. Applicant notes that such an amendment was made in the Utility Patent Application Transmittal at boxes 17 and 18. If this amendment was inadvertently not entered by the Office, applicant respectfully requests that it be entered so that the application is in full compliance with 35 USC § 120.

The outstanding office action also indicates that the Information Disclosure Statement filed December 10, 2002 fails to comply with 37 CFR § 1.98(a)(2). Applicant notes that all of the references cited in that Information Disclosure Statement were considered by the Office in the parent of the present application. MPEP § 609 requires examiners to consider information which was already considered by the Office in a parent application. Accordingly, no copies of the references are necessary. The Information Disclosure Statement was filed so that the references would be printed on the face of any patent that may issue. Accordingly, applicant respectfully requests that the examiner initial the references listed in the Information Disclosure Statement and return a copy of the initialed forms in the next communication from the Office.

On page 2 of the outstanding office action, the drawings were objected to for failing to disclose beam shaping means, positioning means, and shot exposure means. In response, the application is presently amended to include new Figure 7, which shows a mask writing tool that includes a beam shaping unit, a positioning unit, and a shot exposure unit. Support

for this change is found in the specification at page 2, lines 9-26, and at page 19, line 13, for example.

On page three of the outstanding office action, claims 14-21 were rejected under 35 USC § 112, first paragraph, as containing subject matter which was not described in this specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most easily connected, to make and/or use the invention. Based on the rationale provided for this rejection, applicant believes that the examiner intended to base this rejection under the written description requirement of 35 USC § 112, first paragraph, rather than the enablement requirement. On this assumption, applicant has submitted new Figure 7, as discussed above, and has made corresponding amendments to the specification. These amendments are supported by the originally-filed disclosure, including the claims. The examiners's attention is also directed to page 2, lines 9-26, and page 19, line 13, of the application, where exemplary support for these changes can be found. Accordingly, the changes to the drawings and specification is not believed to raise an issue of new matter.

In view of the foregoing discussion, no further issues are believed to be outstanding on the present application. Therefore, applicant respectfully requests that the present application be allowed and be passed to issue.

Respectfully submitted,

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